



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

September 27, 2017
Certified Mail/Return
7012 3460 0003 1112 9400

Mineral County Water District
P.O. Box 206
Mineral, CA 96063

Attention: John Frehse, Manager

Subject: Public Water System No. 5200503 – Citation No. 21-17C-035 for Failure to Collect a Routine Bacteriological Sample in August 2017.

It has come to our attention that the Mineral County Water District water system failed to collect a routine bacteriological sample in August of 2017. Consequently, the Division of Drinking Water has issued the enclosed Citation for Noncompliance (Citation) with Title 22 California Code of Regulations, Section 64424.

Please review the enclosed Citation and note directives for corrective action and public notification.

Any person who is aggrieved by an order or decision issued by the Division, may file a petition with the State Water Board for reconsideration of the order or decision. Petitions must be received by the State Board within 30 days of the issuance of the order or decision. The date of issuance is the date when the Division mails a copy of the order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. See attached Applicable Authorities for relevant statutory provisions for filing a petition.

For more Information regarding filing petitions, visit the following website:
http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions please call Paul Rowe at (530) 224-4866 or contact me directly at (530) 224-4861.

A handwritten signature in black ink, appearing to read "R. Crenshaw".

Reese B. Crenshaw, P.E.
Valley District Engineer
DRINKING WATER FIELD
OPERATIONS BRANCH

Enclosures

1 **Citation No. 21-17C-035**

2
3 **STATE OF CALIFORNIA**
4 **WATER RESOURCES CONTROL BOARD**
5 **DIVISION OF DRINKING WATER**
6

7 **Public Water System:** Mineral County Water District

8 **Water System No.:** 5200503
9

10 **To:** Mineral County Water District

11 Attn: John Frehse, Manager

12 P.O. Box 206

13 Mineral, CA 96063
14

15 **Issued:** September 27, 2017

16 VIA CERTIFIED MAIL
17

18 **CITATION FOR NONCOMPLIANCE**
19 **With Title 22, California Code of Regulations**
20 **Sections 64422 & 64423**
21

22 Section 116650 of the California Health and Safety Code (CHSC) authorizes the
23 issuance of a citation for failure to comply with a requirement of the California Safe
24 Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with
25 Section 116270), or any regulation, standard, permit, or order issued thereunder.
26

1 The State Water Resources Control Board (hereinafter "Board"), acting by and
2 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director
3 for the Division, hereby issues a citation to Mineral County Water District for failure to
4 comply with Section 64423, Title 22, of the California Code of Regulations (CCR).

5
6 **APPLICABLE AUTHORITIES**

7 See Attachment A for Applicable Authorities
8

9 **STATEMENT OF FACTS**

10 Mineral County Water District (hereinafter "System") is classified as a community
11 water system and serves water to approximately 615 people. Based on this
12 population, the System is required to collect two routine bacteriological water samples
13 each month. In the event that a routine bacteriological sample is positive for total
14 coliform, the System is required to collect five routine samples the month following a
15 positive routine sample. As of the date of this citation, the System has not collected or
16 reported monthly routine samples for August of 2017.

17
18 Furthermore it has come to the Division's attention that the System is collecting
19 routine bacteriological samples in locations not identified on the current
20 Bacteriological Sample Siting Plan (BSSP) for the System (Dated December 22,
21 2009). The current BSSP identifies the following addresses as the three routine
22 sample sites: 38348 Highway 36 East, 38199 Mineral Avenue, and 38126 Conard
23 Ave. Within the last 12 months, routine samples have been collected from the
24 following additional addresses: 38348 Beresford Court, 38293 Mineral Avenue, 38213
25 Mineral Avenue, and 38292 Scenic Avenue.
26
27



DETERMINATION

The Division has determined that the System violated Section 64423(a)(2), Title 22, of the CCR, in that the System did not collect monthly routine samples in August of 2017. Furthermore, the System violated Section 64422(a), Title 22, of the CCR, by not collecting routine bacteriological samples in locations designated on the sample siting plan.

DIRECTIVES

The System is directed to take the following actions:

1. **Within 30 days** of the issuance of this Citation, provide public notification in accordance with **Attachment B**, to all persons served by the System of the violations noted above; as required by Section 64463.4(c) and Section 64465, Title 22, of the CCR. Notification shall be completed in accordance with each of the following:
 - a. Mail or direct delivery to each customer.
 - b. Notification by one or more methods for consumers not reached by mail or direct delivery (**see Attachment B**).
2. Changes and/or modifications to **Attachment B** shall be not be made unless approved by the Division.
3. Complete and return **Attachment C**, "Certification of Completion of Public Notification" form **within 10 days** of giving public notice. A copy of the notice used to provide public notification shall be attached to the form.



1 4. **Within 30 days** of the issuance of this citation, submit a revised bacteriological
2 sample siting plan for Division approval. (**See Attachment D**).
3

4 The Division reserves the right to make such modifications to this Citation as it may
5 deem necessary to protect public health and safety. Such modifications may be
6 issued as amendments to this Citation, and shall be deemed effective upon issuance.
7

8 Nothing in this Citation relieves the System of its obligation to meet the requirements
9 of the California Safe Drinking Water Act, or of any regulation, permit, standard, or
10 order issued or adopted thereunder.
11

12 All submittals required by this Citation shall be submitted to the Division at the
13 following address:

14 Reese B. Crenshaw, P. E.
15 Valley District Engineer
16 State Water Resources Control Board
17 Division of Drinking Water
18 364 Knollcrest Dr. Suite 101
19 Redding, CA 96002
20

21 **PARTIES BOUND**

22 This Citation shall apply to and be binding upon the Water System, its officers,
23 directors, shareholders, agents, employees, contractors, successors, and assignees.
24
25
26
27

SEVERABILITY

The Directives of this Citation are severable, and the Water System shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTION

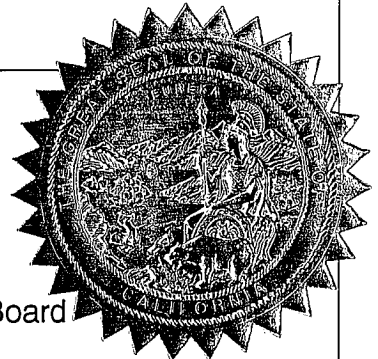
The California SDWA authorizes the Division to: issue citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, permit or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Division to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with an order of the Division; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with violates an order of the Division. The Division does not waive any further enforcement action by issuance of this citation.

9/20/17

Date

R. Crenshaw

Reese B. Crenshaw, P.E.,
Valley District Engineer
Division of Drinking Water
State Water Resources Control Board



1 Attachments:

2 Attachment A - Applicable Authorities

3 Attachment B - Public Notification Form

4 Attachment C - Proof of Notification Form

5 Attachment D – Bacteriological Sample Siting Plan Template

APPLICABLE AUTHORITIES

Section 116650 of the CHSC states in relevant part:

- (a) If the Department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.*
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.*
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.*
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).*
- (e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.*

Section 116701 of the CHSC states in relevant part:

Petitions to Orders and Decisions

- (a) Within 30 days of issuance of an order or decision issued by the deputy director under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration. Where the order or decision of the deputy director is issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, this section shall apply instead of Section 11521 of the Government Code.*
- (b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.*
- (c) The evidence before the state board shall consist of the record before the deputy director and any other relevant evidence that, in the judgment of the state board, should be considered to implement the policies of this chapter. The state board may, in its discretion, hold a hearing for receipt of additional evidence.*
- (d) The state board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may deny the petition upon a determination that the issuance of the order or decision was appropriate and proper, may set aside or modify the order or decision, or take other appropriate action. The state board's action pursuant to this subdivision shall constitute the state board's completion of its reconsideration.*

ATTACHMENT A

- (e) The state board, upon notice and hearing, if a hearing is held, may stay in whole or in part the effect of the order or decision of the deputy director.*
- (f) If an order of the deputy director is subject to reconsideration under this section, the filing of a petition for reconsideration is an administrative remedy that must be exhausted before filing a petition for writ of mandate under Section 116625 or 116700.*

Section 64422(a), Title 22, of the CCR states in relevant part:

- (a) By September 1, 1992, each water supplier shall develop and submit to the State Board a siting plan for the routine collection of samples for total coliform analysis, subject to the following:*
 - 1) The sample sites chosen shall be representative of water throughout the distribution system including all pressure zones, and areas supplied by each water source and distribution reservoir.*
 - 2) The water supplier may rotate sampling among the sample sites if the total number of sites needed to comply with (a)(1) above exceeds the number of samples required according to Table 64423-A. The rotation plan shall be described in the sample siting plan.*

Section 64423(a)(2), Title 22, of the CCR states in relevant part:

- (2) The minimum number of samples for nontransient-noncommunity water systems shall be based on the known population served as shown in Table 64423-A during those months when the system is operating. A nontransient-noncommunity water system using groundwater which serves 25-1000 persons may request from the State Board a reduction in monitoring frequency if it has*

ATTACHMENT A

not violated the requirements in this article during the past twelve months. The minimum reduced frequency shall not be less than one sample per quarter.

Table 64423-A
Minimum Number of Routine Total Coliform Samples

<i>Monthly Population Served</i>	<i>Service Connections</i>	<i>Minimum Number of Samples</i>
25 to 1000	15 to 400	1 per month
1,001 to 2,500	401 to 890	2 per month
2,501 to 3,300	891 to 1,180	3 per month
3,301 to 4,100	1,181 to 1,460	4 per month
4,101 to 4,900	1,461 to 1,750	5 per month
4,901 to 5,800	1,751 to 2,100	6 per month
5,801 to 6,700	2,101 to 2,400	7 per month
6,701 to 7,600	2,401 to 2,700	2 per week
7,601 to 12,900	2,701 to 4,600	3 per week
12,901 to 17,200	4,601 to 6,100	4 per week
17,201 to 21,500	6,101 to 7,700	5 per week
21,501 to 25,000	7,701 to 8,900	6 per week
25,001 to 33,000	8,901 to 11,800	8 per week
33,001 to 41,000	11,801 to 14,600	10 per week
41,001 to 50,000	14,601 to 17,900	12 per week
50,001 to 59,000	17,901 to 21,100	15 per week
59,001 to 70,000	21,101 to 25,000	18 per week
70,001 to 83,000	25,001 to 29,600	20 per week
83,001 to 96,000	29,601 to 34,300	23 per week
96,001 to 130,000	34,301 to 46,400	25 per week
130,001 to 220,000	46,401 to 78,600	30 per week
220,001 to 320,000	78,601 to 114,300	38 per week
320,001 to 450,000	114,301 to 160,700	50 per week
450,001 to 600,000	160,701 to 214,300	55 per week
600,001 to 780,000	214,301 to 278,600	60 per week
780,001 to 970,000	278,601 to 346,400	70 per week
970,001 to 1,230,000	346,401 to 439,300	75 per week
1,230,001 to 1,520,000	439,301 to 542,900	85 per week
1,520,001 to 1,850,000	542,901 to 660,700	90 per week
1,850,001 to 2,270,000	660,701 to 810,700	98 per week
2,270,001 to 3,020,000	810,701 to 1,078,600	105 per week
3,020,001 to 3,960,000	1,078,601 to 1,414,300	110 per week
3,960,001 or more	1,414,301 or more	120 per week

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

**MINERAL COUNTY WATER DISTRICT SCHOOL DID NOT
COLLECT A ROUTINE BACTERIOLOGICAL
SAMPLE IN AUGUST 2017**

Our water system recently violated a monitoring requirement. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

What should you do?

You do not need to boil the water or take any corrective actions. This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

What happened? What was done?

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During the month of August 2017, we did not collect a routine bacteriological samples as required. Therefore, we could not be sure of the quality of your drinking water during that time.

For more information, please contact John Frehse @ 530-595-3479

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- *SCHOOLS: Must notify school employees, students, and parents (if the students are minors).*
- *RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.*
- *BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.*

State Water System ID#: 5200503.

Date distributed: _____.

CERTIFICATION OF COMPLETION OF PUBLIC NOTIFICATION

This form when completed and returned to the Division of Drinking Water (364 Knollcrest Drive, Suite 101, Redding, CA 96002 or fax to 530-224-4844), serves as certification that public notification to water users was completed as required by the State Water Resources Control Board. Completing public notification and providing the Division with certification is important. Failure to do so will result in additional hourly time charges to your water utility and may result in a formal enforcement action with monetary penalties.

Public Water System Name Mineral County Water District

Public Water System No. 5200503

Public notification for the August 2017 bacteriological monitoring failure was performed by the following method

- Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g. schools or school systems, apartment building owners, etc.) and other service connections to which water is delivered by the water system.

I hereby certify that the above information is factual.

Printed Name

Signature

Date

EDMUND G. BROWN JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION**State Water Resources Control Board**

Division of Drinking Water

BACTERIOLOGICAL SAMPLE SITING PLAN

Ground Water Rule

Small Water Systems - Triggered Source Monitoring

System Information:

Name of Facility: _____ System Number: _____

Street Address: _____ Ph. No.: _____

Mailing Address: _____ Fax: _____

Service Connections: _____ Population Served: _____

Sampling Frequency: _____

Sample Collection:

All water samples will be collected by: _____

Name of Laboratory: _____

Mailing Address: _____

State Lab Code: _____ Phone #: _____ Fax #: _____

The Laboratory was sent a copy of this plan on: _____

Raw Water Sampling:Is water continuously treated with chlorine? ☐ YES ☐ NO

Systems which provide continuous chlorine treatment are required to take samples of water prior to the addition of chlorine (raw water samples) on a quarterly basis. Please list below the sources which are continuously treated and the months when raw water samples will be taken:

1. _____ Months sampled: _____

2. _____ Months sampled: _____

3. _____ Months sampled: _____

4. _____ Months sampled: _____

Map of System:

A map of the distribution system showing the source (well, spring, etc.), storage tanks, treatment facilities, distribution piping, routine sample locations, and follow-up (repeat) sample locations is required. Have you enclosed this map? ☐ YES ☐ NO

Sample Locations:

The following describes each routine sample location, what months the location will be sampled, and where follow-up (repeat) samples will be taken in the event of a "positive" routine sample:

Routine Sample Location:

1. _____
(location name or address)

Description: _____
(hose bib, sink faucet, etc.)

Water samples will be collected from this location during the months of (circle):

1st Qtr: Jan. Feb. Mar.
2nd Qtr: Apr. May Jun.
3rd Qtr: July Aug. Sept.
4th Qtr: Oct. Nov. Dec.

Follow-up (repeat) Sample Location:

1. _____
(routine sample location name or address)

2. _____
(location name or address up-stream)

3. _____
(location name or address down-stream)

4. _____
(location name or address down-stream)

5. _____
(source = Triggered Source Monitoring)

Routine Sample Location: (if required)

2. _____
(location name or address)

Description: _____
(hose bib, sink faucet, etc.)

Water samples will be collected from this location during the months of (circle):

1st Qtr: Jan. Feb. Mar.
2nd Qtr: Apr. May Jun.
3rd Qtr: July Aug. Sept.
4th Qtr: Oct. Nov. Dec.

Follow-up (repeat) Sample Location:

1. _____
(routine sample location name or address)

2. _____
(location name or address up-stream)

3. _____
(location name or address down-stream)

4. _____
(location name or address down-stream)

5. _____
(source = Triggered Source Monitoring)

Routine Sample Location: (if required)

3. _____
(location name or address)

Description: _____
(hose bib, sink faucet, etc.)

Water samples will be collected from this location during the months of (circle):

1st Qtr: Jan. Feb. Mar.
2nd Qtr: Apr. May Jun.
3rd Qtr: July Aug. Sept.
4th Qtr: Oct. Nov. Dec.

Follow-up (repeat) Sample Location:

1. _____
(routine sample location name or address)

2. _____
(location name or address up-stream)

3. _____
(location name or address down-stream)

4. _____
(location name or address down-stream)

5. _____
(source = Triggered Source Monitoring)

Report Prepared by: _____

Signature and Title: _____ Date: _____